

IN THE CIRCUIT COURT OF CHRISTIAN COUNTY, MISSOURI

KEITH L. TRIPP,

Plaintiff,

v.

CITY OF CLEVER, MISSOURI,

Serve at:

304 S. Clarke Ave.

Clever, MO 65631, and

SERGEANT STOOPS or a/k/a

RYAN STOOPS,

Serve at:

Clever Police Department

304 S. Clarke Ave.

Clever, MO 65631,

Defendants.

Case No. _____

JURY TRIAL DEMANDED**PETITION**

COMES NOW Plaintiff Keith L. Tripp, by and through counsel, and for his claims against Defendants City of Clever, Missouri and Sergeant Stoops or a/k/a Ryan Stoops, states that:

GENERAL ALLEGATIONS APPLICABLE TO ALL COUNTS

1. Plaintiff Keith L. Tripp ("Keith") is an individual, a U.S. citizen, and a resident of Clever, Christian County, Missouri.

2. Defendant City of Clever, Missouri ("Clever") is a municipality located in Christian County, Missouri at 304 S. Clarke Ave., Clever, MO, and had a police department at times relevant.

3. Defendant Sergeant Stoops who may also be known as Ryan Stoops ("Stoops") is an individual and a resident of Missouri.

4. At all times relevant herein, Stoops was a police officer with the Clever Police Department and acted while in the scope of his employment, agency or servitude with Clever.

5. The acts and conduct complained of herein occurred in Christian County, Missouri, and Keith's causes of actions accrued there.

6. Keith's claims for damages herein exceed \$25,000.00.

7. Keith's claims arise as a result of numerous improper, harassing and unlawful traffic stops, seizures, detentions, citations and/or investigations of Keith made by Stoops and Clever within approximately the last two years, which were made without probable cause and against Keith's will.

8. Further, Stoops and Clever prosecuted Keith for an offense he did not commit, but Defendants pursued that case all the way through trial, and Keith was found not guilty by the court.

9. Stoops and Clever have continued to unlawfully stop, detain, investigate and cite Keith without probable cause to do so, even after said trial.

10. Keith came to Clever's office to make a complaint on or about September 6, 2016, but Clever did not receive or process it, and told Keith to write a letter.

11. Thereafter, on or about November 3, 2016, Plaintiff wrote a letter to Clever requesting records regarding the matters referenced herein, but Clever did not respond and did not produce any records.

COUNT I

FALSE AND UNLAWFUL ARREST, SEARCH, SEIZURE AND DETENTION

For Keith's claim for damages against Defendants Clever and Stoops for False and Unlawful Arrest, Search, Seizure and Detention, he states that:

12. He restates and re-avers each and every fact and allegation contained in paragraphs 1 through 11 above as if fully stated herein.

13. Keith was falsely, unlawfully and involuntarily stopped, detained and/or restrained against his will by Stoops when Keith was unlawfully stopped on more than one occasion including in 2016 for phony traffic violations for which there was no probable cause.

14. On information and belief, Clever and Stoops have confronted, investigated, questioned and/or detained Keith and others on multiple other occasions without a warrant and without probable cause to believe a crime was committed.

15. Clever has failed and refused to produce records and documents including incident reports, statements, photographs and videos when requested, in violation of law.

16. The aforementioned restraints and detentions were unlawful in that Stoops had no right or cause to instigate the detentions but the detentions were instigated by Stoops anyway.

17. Keith has sustained damages as a matter of course and as a natural and probable consequence of Defendants' conduct in constantly pulling him over and detaining and harassing him, as further stated above, including but not limited to loss of time, embarrassment, anguish, frustration and attorney's fees of not less than \$6,000 to

date.

18. Defendants' conduct as stated herein was so outrageous because of its evil motive or reckless indifference to the rights of Keith and others so as to entitle Keith to punitive damages against them in a sum of not less than \$500,000.00.

19. Keith requests a jury trial on all claims and counts.

WHEREFORE, Plaintiff Keith L. Tripp prays for judgment against Defendants Clever and Stoops in an amount in excess of \$25,000.00, for reasonable attorney fees, post-judgment interest at the legal rate, by law, for costs of suit, for punitive damages in an amount of not less than \$500,000.00 and for such other and further relief as the Court shall deem just and proper.

COUNT II

MALICIOUS PROSECUTION

For Keith's claim for damages against Defendants Clever and Stoops for Malicious Prosecution, he states that:

20. He restates and re-avers each and every fact and allegation contained in paragraphs 1 through 19 above as if fully stated herein.

21. Stoops and Clever commenced and instigated a prosecution against Keith.

22. The termination of that prosecution was in favor of Keith, as he was found not guilty by the court.

23. Stoops and Clever had no probable cause for that prosecution.

24. Stoops and Clever were motivated by malice in commencing that prosecution.

25. Keith has sustained damages as a matter of course and as a natural and probable consequence of Defendants' conduct in prosecuting the charge that resulted in Keith's acquittal, and such damages include but are not limited to loss of time, embarrassment, anguish, frustration and attorney's fees of not less than \$6,000 to date.

26. Defendants' conduct in pursuing the failed prosecution maliciously as stated herein was so outrageous because of its evil motive or reckless indifference to the rights of Keith and others so as to entitle Keith to punitive damages against them in a sum of not less than \$500,000.00.

27. Keith requests a jury trial on all claims and counts.

WHEREFORE, Plaintiff Keith L. Tripp prays for judgment against Defendants Clever and Stoops in an amount in excess of \$25,000.00, for reasonable attorney fees, post-judgment interest at the legal rate, by law, for costs of suit, for punitive damages in an amount of not less than \$500,000.00 and for such other and further relief as the Court shall deem just and proper.

COUNT III

VIOLATION OF SUNSHINE LAW

For Keith's claim against Defendant Clever for violation of Missouri's Sunshine Law, Chapter 610 RSMo., he states states that:

28. He restates and re-avers each and every fact and allegation contained in paragraphs 1 through 27 above as if fully stated herein.

29. Keith made a lawful request to Clever under Missouri's Sunshine Law for

records regarding him.

30. Section 610.023 RSMo. requires each public governmental body to its records available, and each request is to be acted upon as soon as possible, but in no event later than the end of the third business day.

31. Clever never responded to Keith's request and is in violation of the law.

32. Clever now seeks to take Keith to trial on another frivolous charge without producing the requested records.

33. Clever has acted knowingly and purposefully in failing to produce the records requested.

34. Keith is entitled to damages including those under §610.027 RSMo. of \$1,000 plus attorney fees and costs for a knowing violation, and \$5,000 plus attorney fees and costs for a purposeful violation.

35. Defendant Clever's conduct in failing to produce documents upon Keith's Sunshine Law request as stated herein was so outrageous because of its evil motive or reckless indifference to the rights of Keith and others so as to entitle Keith to punitive damages against them in a sum of not less than \$500,000.00.

36. Keith requests a jury trial on all claims and counts.

WHEREFORE, Plaintiff Keith L. Tripp prays for judgment against Defendant Clever in an amount in excess of \$25,000.00, for reasonable attorney fees, post-judgment interest at the legal rate, by law, for costs of suit, for punitive damages in an amount of not less than \$500,000.00 and for such other and further relief as the Court shall deem just and proper.

COUNT IV

CIVIL RIGHTS VIOLATIONS

For Keith's claim for damages against Defendants Clever and Stoops for violating his civil rights, pursuant to law including 42 U.S.C. §1983, he states that:

37. He restates and re-avers each and every fact and allegation contained in paragraphs 1 through 27 above as if fully stated herein.

38. Defendants Clever and Stoops acted under color of law at all times relevant herein.

39. Keith, a U.S. citizen, has been deprived of his constitutional rights based on the conduct of Defendants as stated above.

40. It is the policy and practice of Clever to unlawfully stop, search, seize, restrain and/or detain drivers and citizens including Keith without probable cause.

41. Defendants' conduct in violating the civil rights of Keith as stated herein was so outrageous because of its evil motive or reckless indifference to the rights of Keith and others so as to entitle Keith to punitive damages against them in a sum of not less than \$500,000.00.

42. Keith requests a jury trial on all claims and counts.

WHEREFORE, Plaintiff Keith L. Tripp prays for judgment against Defendants Clever and Stoops in an amount in excess of \$25,000.00, for reasonable attorney fees, post-judgment interest at the legal rate, by law, for costs of suit, for punitive damages in an amount of not less than \$500,000.00 and for such other and further relief as the Court shall deem just and proper.

BRANDON STAFFORD LAW, LLC

By /s/ Brandon Stafford
C. Brandon Stafford
MO BAR # 60211

C. Brandon Stafford
BRANDON STAFFORD LAW, LLC
202 E. Elm St., Suite A
Ozark, MO 65721
(417) 485-4545; FAX (417) 485-4546
Email: brandonstaffordlaw@sbcglobal.net
Attorney for Plaintiff

IN THE CIRCUIT COURT OF CHRISTIAN COUNTY, MISSOURI

KEITH L. TRIPP,)
 Plaintiff,)
 v.)
 CITY OF CLEVER, MISSOURI,)
 Serve at:)
 304 S. Clarke Ave.)
 Clever, MO 65631, and)
 SERGEANT STOOPS or a/k/a)
 RYAN STOOPS,)
 Serve at:)
 304 S. Clarke Ave.)
 Clever, MO 65631,)
 Defendants.)

Case No. _____

REQUEST FOR APPOINTMENT OF SPECIAL PROCESS SERVER

COMES NOW Plaintiff, by and through counsel, and at his/her own risk requests the appointment of Kyla Chaoui-Abdou, 202 E. Elm, Suite A, Ozark, MO 65721, 417-485-4545, a natural person of lawful age who is not a party to this action, as special process server to personally serve the summons and petition in this case. This appointment does not include the authorization to carry a concealed weapon in the performance of this duty.

BRANDON STAFFORD LAW, LLC

By /s/ Brandon Stafford
 C. Brandon Stafford
 MO Bar #60211

C. Brandon Stafford
 BRANDON STAFFORD LAW, LLC
 202 E. Elm St., Suite A
 Ozark, MO 65721
 (417) 485-4545; (FAX) (417) 485-4546
 E-mail: brandonstaffordlaw@sbcglobal.net
 Attorney for Plaintiff

Appointed as requested:
 Circuit Court of Christian County

By: _____
 Deputy Clerk/Judge

IN THE CIRCUIT COURT OF CHRISTIAN COUNTY, MISSOURI

KEITH L. TRIPP,)
Plaintiff,)
v.)
CITY OF CLEVER, MISSOURI,)
Serve at:)
304 S. Clarke Ave.)
Clever, MO 65631, and)
SERGEANT STOOPS or a/k/a)
RYAN STOOPS,)
Serve at:)
304 S. Clarke Ave.)
Clever, MO 65631,)
Defendants.)

Case No. _____

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By /s/ Brandon Stafford
C. Brandon Stafford
MO Bar #60211

C. Brandon Stafford
BRANDON STAFFORD LAW, LLC
202 E. Elm St., Suite A
Ozark, MO 65721
(417) 485-4545; (FAX) (417) 485-4546
E-mail: brandonstaffordlaw@sbcglobal.net
Attorney for Plaintiff

Appointed as requested:
Circuit Court of Christian County

By: /s/ABS
Deputy Clerk/Judge




IN THE 38TH JUDICIAL CIRCUIT COURT, CHRISTIAN COUNTY, MISSOURI

Judge or Division: LAURA J JOHNSON	Case Number: 17CT-CC00337
Plaintiff/Petitioner: KEITH L TRIPP	Plaintiff's/Petitioner's Attorney/Address C BRANDON STAFFORD 202 E ELM ST STE A OZARK, MO 65721
Defendant/Respondent: CITY OF CLEVER, MISSOURI	Court Address: 110 WEST ELM STREET, SUITE 202 OZARK, MO 65721
Nature of Suit: CC Other Tort	

(Date File Stamp)

Summons in Civil Case

The State of Missouri to: CITY OF CLEVER, MISSOURI
 Alias:
 304 S. CLARKE AVE.
 CLEVER, MO 65631

COURT SEAL OF

CHRISTIAN COUNTY

You are summoned to appear before this court and to file your pleading to the petition, a copy of which is attached, and to serve a copy of your pleading upon the attorney for Plaintiff/Petitioner at the above address all within 30 days after receiving this summons, exclusive of the day of service. If you fail to file your pleading, judgment by default may be taken against you for the relief demanded in the petition.

4-4-17 Date /s/ABS Clerk

Further Information:

Sheriff's or Server's Return

Note to serving officer: Summons should be returned to the court within thirty days after the date of issue.

I certify that I have served the above summons by: (check one)

☐ delivering a copy of the summons and a copy of the petition to the Defendant/Respondent.

☐ leaving a copy of the summons and a copy of the petition at the dwelling place or usual abode of the Defendant/Respondent with _____ a person of the Defendant's/Respondent's family over the age of 15 years.

☐ (for service on a corporation) delivering a copy of the summons and a copy of the petition to _____ (name) _____ (title).

☐ other _____

Served at _____ (address)
 in _____ (County/City of St. Louis), MO, on _____ (date) at _____ (time).

 Printed Name of Sheriff or Server

 Signature of Sheriff or Server

Must be sworn before a notary public if not served by an authorized officer:

(Seal) Subscribed and sworn to before me on _____ (date).

My commission expires: _____ Date _____ Notary Public

Sheriff's Fees

Summons \$ _____

Non Est \$ _____

Sheriff's Deputy Salary \$ 10.00

Supplemental Surcharge \$ _____ (_____ miles @ \$._____ per mile)

Mileage \$ _____

Total \$ _____

A copy of the summons and a copy of the petition must be served on **each** Defendant/Respondent. For methods of service on all classes of suits, see Supreme Court Rule 54.




IN THE 38TH JUDICIAL CIRCUIT COURT, CHRISTIAN COUNTY, MISSOURI

Judge or Division: LAURA J JOHNSON	Case Number: 17CT-CC00337
Plaintiff/Petitioner: KEITH L TRIPP	Plaintiff's/Petitioner's Attorney/Address C BRANDON STAFFORD 202 E ELM ST STE A OZARK, MO 65721
Defendant/Respondent: CITY OF CLEVER, MISSOURI	Court Address: 110 WEST ELM STREET, SUITE 202 OZARK, MO 65721
Nature of Suit: CC Other Tort	

(Date File Stamp)

Summons in Civil Case

The State of Missouri to: RYAN STOOPS
Alias:
304 S. CLARKE AVE.
CLEVER, MO 65631

COURT SEAL OF

CHRISTIAN COUNTY

You are summoned to appear before this court and to file your pleading to the petition, a copy of which is attached, and to serve a copy of your pleading upon the attorney for Plaintiff/Petitioner at the above address all within 30 days after receiving this summons, exclusive of the day of service. If you fail to file your pleading, judgment by default may be taken against you for the relief demanded in the petition.

4-4-17 /s/ABS
Date Clerk

Further Information:

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☐ leaving a copy of the summons and a copy of the petition at the dwelling place or usual abode of the Defendant/Respondent with _____ a person of the Defendant's/Respondent's family over the age of 15 years.

☐ (for service on a corporation) delivering a copy of the summons and a copy of the petition to _____ (name) _____ (title).

☐ other _____

Served at _____ (address)
in _____ (County/City of St. Louis), MO, on _____ (date) at _____ (time).

Printed Name of Sheriff or Server

Signature of Sheriff or Server

Must be sworn before a notary public if not served by an authorized officer:

(Seal) Subscribed and sworn to before me on _____ (date).

My commission expires: _____ Date _____ Notary Public

Sheriff's Fees

Summons \$ _____

Non Est \$ _____

Sheriff's Deputy Salary

Supplemental Surcharge \$ 10.00

Mileage \$ _____ (_____ miles @ \$._____ per mile)

Total \$ _____

A copy of the summons and a copy of the petition must be served on **each** Defendant/Respondent. For methods of service on all classes of suits, see Supreme Court Rule 54.



IN THE 38TH JUDICIAL CIRCUIT COURT, CHRISTIAN COUNTY, MISSOURI

Judge or Division: LAURA J JOHNSON	Case Number: 17CT-CC00337
Plaintiff/Petitioner: KEITH L TRIPP	Plaintiff's/Petitioner's Attorney/Address C BRANDON STAFFORD 202 E ELM ST STE A OZARK, MO 65721
Defendant/Respondent: CITY OF CLEVER, MISSOURI	Court Address: 110 WEST ELM STREET, SUITE 202 OZARK, MO 65721
Nature of Suit: CC Other Tort	

(Date File Stamp)

Summons in Civil Case

The State of Missouri to: CITY OF CLEVER, MISSOURI

Alias:

304 S. CLARKE AVE.
CLEVER, MO 65631

COURT SEAL OF



CHRISTIAN COUNTY

You are summoned to appear before this court and to file your pleading to the petition, a copy of which is attached, and to serve a copy of your pleading upon the attorney for Plaintiff/Petitioner at the above address all within 30 days after receiving this summons, exclusive of the day of service. If you fail to file your pleading, judgment by default may be taken against you for the relief demanded in the petition.

4-4-17
Date/s/ABS
Clerk

Further Information:

Sheriff's or Server's Return

Note to serving officer: Summons should be returned to the court within thirty days after the date of issue.

I certify that I have served the above summons by: (check one)

- ☐ delivering a copy of the summons and a copy of the petition to the Defendant/Respondent.
☐ leaving a copy of the summons and a copy of the petition at the dwelling place or usual abode of the Defendant/Respondent with a person of the Defendant's/Respondent's family over the age of 15 years.

☒ (for service on a corporation) delivering a copy of the summons and a copy of the petition to

Kristy Keithley

(name)

City Clerk

(title).

☐ other

Served at 304 S Clarke Ave. Clever, MO 65631 (address)

in Christian (County/City of St. Louis), MO, on 4/4/17 (date) at 10:49am. (time).

Kyla Chaoui-Abdou

Printed Name of Sheriff or Server

Kyla Chaoui-Abdou

Signature of Sheriff or Server

TRACEY ANNE TRACY
Notary Public, Notary Seal
State of Missouri
Christian County
Commission # 11425309
My Commission Expires July 13, 2020

Must be sworn before a notary public if not served by an authorized officer:

Subscribed and sworn to before me on 4/4/17

My commission expires: 7-13-2020

Date

(date)
Tracey Anne Tracy
Notary Public

Sheriff's Fees

Summons \$ _____
 Non Est \$ _____
 Sheriff's Deputy Salary \$ _____
 Supplemental Surcharge \$ 10.00
 Mileage \$ _____ (_____ miles @ \$ _____ per mile)
 Total \$ _____

A copy of the summons and a copy of the petition must be served on each Defendant/Respondent. For methods of service on all classes of suits, see Supreme Court Rule 54.